

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-6 are currently pending in the present application, Claims 1-6 having been amended. Support for the amendments to Claims 1, 3, and 5 is found at least in the specification at page 8, lines 17 to page 9, line 1. No new matter is added.

In the outstanding Office Action, Claims 1-6 were objected to; Claims 1-6 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite; Claims 5-6 were rejected under 35 U.S.C. §101 for being directed to non-statutory subject matter; Claims 1, 3, and 5 were rejected under 35 U.S.C. §103(a) as being unpatentable over Takahashi (U.S. Pat. No. 7,218,675) in view of Nagasaki et al. (U.S. Pat. No. 5,416,557, hereinafter “Nagasaki”) and Huang (U.S. Pat. No. 6,112,004); Claim 2 was indicated as allowable, and Claims 4 and 6 were indicated as being allowable if rewritten to overcome both the 35 U.S.C. §101 rejection and the 35 U.S.C. §112, second paragraph, rejections.

Firstly, Applicants acknowledge with appreciation the examiner’s indication of allowable subject matter in Claims 2, 4, and 6.

Regarding the objection to Claims 1-6, Applicants respectfully submit that the term “the second frame” as it appears several times in the claims is both intended and definite. See the specification at least at the paragraph beginning at page 4, line 16. However, Claims 1, 3, and 5 were amended to replace the phrase “the second frame” where the phrase “the second image” was, in fact, intended. Thus, the objection is believed to have been overcome.

Regarding the 35 U.S.C. §112, second paragraph, rejection of Claims 1-6, Claims 1 and 4 have been amended to address the rejection set forth on pages 2-3 of the outstanding Office Action. Thus, the 35 U.S.C. §112, second paragraph rejection is believed to have been overcome.

Claims 5 and 6 have been amended to recite a computer readable medium encoded with a computer program configured to cause an information processing apparatus to execute a method, and thus defines statutory subject matter. Thus, Applicants respectfully submit that the 35 U.S.C. §101 rejection has been overcome.

Regarding the art rejection, amended Claim 1 recites, in part, an image processor, including:

a motion calculator configured to select a motion detecting area for each of a first image and a second image received by the image input unit, and configured to calculate a motion vector between the two images based on projective data that is acquired by computing, in a predetermined direction, pixel values in the motion detecting areas; and
a displacement calculator configured to calculate image correlativity *between a basic image area of the first image and each area of the second image*, the each area of the second image *in the direction that the motion vector calculated by the motion calculator designates*, and configured to calculate the amount of pixel displacement, based on the correlativity calculations.

The outstanding Office Action concedes that Takahashi does not teach “the displacement calculator calculating the amount of pixel displacement between the two images based on the image correlativity,” and relies on Nagasaki to overcome this deficiency.

Applicants respectfully submit, as an initial matter, that this description does not correspond with the displacement calculator defined in Claim 1, as “the displacement calculator calculating the amount of pixel displacement between the two images based on the image correlativity,” is not what is claimed. M.P.E.P. § 2143.03 requires, to establish a case of *prima facie* obviousness, all the claim limitations must be taught or suggested by the prior art.

Nagasaki describes calculating drift between the subject images formed on a film exposure surface in the x and y directions perpendicular to an optical axis of the lens. In Nagasaki, a two-dimensional correlation circuit 52 executes a two-dimensional correlation

arithmetic operation between a subject image signal of the first frame stored in the frame memory 50 and those fetched from the second frame, thereby detecting differences between the image signals (frame images) as x and y displacements. The two-dimensional correlation arithmetic operation in Nagasaki is performed by arbitrarily using various types of conventional arithmetic algorithms. That is, according to Nagasaki, projection components in the x and y directions of two frame images are respectively compared with each other, and a difference or drift is calculated as a displacement in each direction. Thus, Nagasaki merely describes one method of obtaining a motion vector, and says nothing about performing a calculation based on a direction that the motion vector calculated by the motion calculator designates.

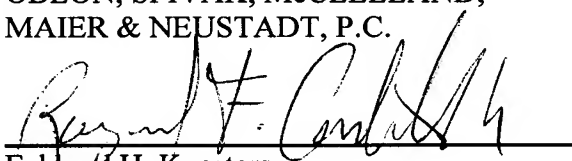
Therefore, Nagasaki does not teach or suggest “a displacement calculator configured to calculate image correlativity *between a basic image area of the first image and each area of the second image*, the each area of the second image *in the direction that the motion vector calculated by the motion calculator designates*, and configured to calculate the amount of pixel displacement, based on the correlativity calculations,” as recited in amended Claim 1. Consequently, Takahashi and Nagasaki do not teach or suggest “a displacement calculator” as recited in amended Claim 1. Accordingly, Claim 1 patentably defines over Takahashi and Nagasaki. Further, it is respectfully submitted that Huang does not cure the above-noted deficiency of Takahashi and Nagasaki. Accordingly, it is respectfully submitted that Claim 1 is patentable over Takahashi in view of Nagasaki and Huang.

Independent method Claim 3 and independent computer readable tangible storage medium Claim 5 recite similar features as argued above for independent Claim 1. For substantially the same reasons as discussed with regard to Claim 1, it is respectfully submitted that independent Claims 3 and 5 patentably define over the applied art.

Consequently, in view of the present amendment and in light of the above discussions, the outstanding grounds for rejection are believed to have been overcome. The application as amended herewith is believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

A handwritten signature in black ink, appearing to read 'Raymond F. Cardillo, Jr.', is written over a horizontal line.

Eckhard H. Kuesters
Attorney of Record
Registration No. 28,870

Customer Number

22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 08/07)

Raymond F. Cardillo, Jr.
Registration No. 40,440